IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

NOTICE OF MOTION NO.1766 OF 2007
IN
SUIT NO.2763 OF 2005

Madan Mohan Ramprasad Kedia ...Plaintiff
vs.
Rajkumar Devidutt Saraf ...Defendant

Ms Aarti R. Khamkar for the Appellant in support of notice of motion
Mr.B.N.Singh for the Defendant

CORAM: A.S.OKA,J.
DATE : AUGUST 9,2007

P.C.:

1. Heard the learned counsel for the Plaintiff in support of notice of motion. The prayer in this notice of motion is for direction to expedite the hearing of the suit on the ground that the Plaintiff is a senior citizen.

2. The learned counsel for the plaintiff pointed out that an order was passed by this court on summons for Judgment taken out by the plaintiff granting unconditional leave to defend the suit to the defendant. The learned counsel for the plaintiff states that a notice of motion taken out by the plaintiff for setting aside the said order passed on summons for judgment is pending and is being heard by the another learned Judge. It is obvious that the suit is not likely to be ready for hearing in near future. Hence, the prayer made in the notice of motion cannot be granted at this stage. Accordingly, notice of motion is dismissed.

JUDGE